IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.553 OF 2004
IN
SUMMARY SUIT NO.266 OF 2004

Omkarnath Mutreja and Anr. ..Plaintiffs

Vs.

Mr.Sunil Gogia and Anr. ..Defendants

Mr.Sashin Masurkar for the plaintiffs

CORAM : S.U.KAMDAR, J
DATED : 21ST SEPTEMBER, 2005

P.C.:

1. The present suit is filed by the plaintiffs under bill of exchange dt.6.10.98. The claim in the present suit is for Rs.1,45,500/- which is inclusive of interest. The principal amount is Rs.1,00,000/-. Defendants are served. Defendants have thereafter filed Vakalatnama. In view thereof, plaintiffs took out the Summons for Judgment. Summons for Judgment was served. Affidavit of service dt.28.2.05 has been filed by the plaintiffs. Thereafter by my order dt.14.9.05 I directed service to be effected on the defendants. Once again defendants were served. Affidavit of service dt.20.9.05 is filed. Inspite

of the same, none appears for the defendants. Plaintiffs have tendered original documents. The same are taken on record and marked Ex.P-1 collectively. In that view of the matter, suit is decreed as prayed. Suit as well as summons for judgment are disposed of accordingly. Refund of court fee as per rules.